

PATENT  
450101-02142**REMARKS/ARGUMENTS**

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application.

**I. STATUS OF THE CLAIMS AND FORMAL MATTERS**

Claims 10-12, which are independent, are pending in this application. Claims 1-9, and 13-71 have been canceled without prejudice or disclaimer of subject matter. Changes to claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicants are entitled.

**II. REJECTIONS UNDER 35 U.S.C. §103(a)**

Claims 10-12, 33-39 and 40-51 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Patent No. 6,574,609 to Downs et al. in view of U.S. Patent No. 6,421,779 to Kuroda et al. and further in view of U.S. Patent No. 6,594,758 to Okui. Claims 33-39 and 40-51 are canceled, thereby obviating the rejection.

**III. RESPONSE TO REJECTIONS**

Claim 10 recites, *inter alia*:

“...first storage means, for storing an encrypted first key encrypted by a second key, the first storage means comprising:  
first authenticating means for authenticating and generating a temporary key;

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first encrypting/decrypting means for decrypting the encrypted first key with the second key, and for encrypting the first key with the temporary key; and  
transmitting means for transmitting the encrypted first key with the temporary key;

decoding means comprising:

second authentication means for authenticating the first storage means and sharing the temporary key with the first storage means;

receiving means for receiving the encrypted first key with the temporary key from the first storage means;

second encrypting/decrypting means for decrypting the encrypted first key with the temporary key; and

wherein the decoding means decodes the information with the first key obtained by the second encrypting/decrypting means." (emphasis added)

As understood by Applicants, U.S. Patent No. 6,574,609 to Downs et al. relates to a method of managing content data and associated metadata. According to the method, the content data and the associated metadata are generated and the content data is transferred to a content host, and the metadata and usage condition data for the associated content are transferred to an electronic store. The metadata and/or the usage condition data are altered in order to form promotional data, and the promotional data is transferred from the electronic store to a customer's system. The content data is encrypted with a first encrypting key before being transferred to the content host.

As understood by Applicants, U.S. Patent No. 6,421,779 to Kuroda relates to an electronic data storage apparatus that includes a data storage unit for storing electronic data; an authentication information generation unit for generating authentication information used in detecting an amendment made to the stored electronic data; and an authentication information data output unit for outputting the electronic data after adding to the electronic data the authentication information generated for the electronic data.

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As understood by Applicants, U.S. Patent No. 6,594,758 to Okui relates to a server that generates and encrypts a work key (Kw) and delivers the key to receiving terminals. The server further updates scramble key (Ks) at a predetermined interval and delivers the key to the terminals. A contents server encrypts service contents using the Kw and the Ks to deliver the contents to an IP address for the group. A delivering router receives the contents and delivers the content to the receiving terminals based on the IP address.

Applicants submit that nothing has been found in the cited portions of U.S. Patent No. 6,574,609 to Downs et al., (hereinafter, merely "Downs") U.S. Patent No. 6,421,779 to Kuroda et al. (hereinafter, merely "Kuroda") and U.S. Patent No. 6,594,758 to Okui (hereinafter, merely "Okui"), taken alone or in combination, that would teach or suggest the above-identified features of claim 10. Therefore, Applicants submit that claim 10 is patentable.

Furthermore, Applicants note that the Office Action states,

"[t]herefore, it would have been obvious to one of ordinary skill in the art to combine Down's encrypting data content with first and second key before transmitted to receiving device for decrypting content data with the teaching of Okui's in [the] event that a key is modified and a replacement key needs to be provided with Kuroda's authentication system to ensure the sending or receiving device is who it claims to be before secure data is transmitted." (See Office Action page 3)

Applicants submit that the combination lacks motivation and is the result of improper hindsight using Applicants' claim as a blueprint. Applicants submit that the Office Action has also relied on improper speculation by contending that a key may be modified and a replacement key needs to be provided.

Therefore, Applicants respectfully submit that the combination of Downs, Kuroda and Okui lacks motivation and is improper. Applicants respectfully request that the rejection be withdrawn.

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Independent claims 11 and 12 are similar in scope and believed to be patentable for similar reasons.

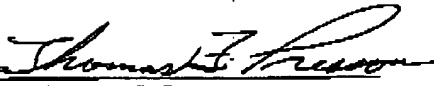
### **CONCLUSION**

In the event the Examiner disagrees with any of statements appearing above with respect to the disclosures in the cited references, it is respectfully requested that the Examiner specifically indicate those portions of the reference, or references, providing the basis for a contrary view.

Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable and Applicants respectfully request early passage to issue of the present application.

Respectfully submitted,  
FROMMER LAWRENCE & HAUG LLP  
Attorneys for Applicants

By   
Thomas F. Presson  
Reg. No. 41,442  
(212) 588-0800